

#5/A
3-5-02
M.L.

PATENT
Attorney Docket No.: 08098.0010
Customer Number: 22,852

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Inventors: Dennis MENDIOLA et al.

Serial No.: Not yet assigned Group Art Unit:

Filed: May 2, 2001 Examiner:

For: METHOD AND SYSTEM FOR TRACKING THE ONLINE STATUS OF
ACTIVE USERS OF AN INTERNET-BASED INSTANT MESSAGING SYSTEM

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please amend the specification as follows:

Page 1, after the title, insert the following new paragraph:

This application claims the priority of International Application No.

A1
PCT/SG00/00069, filed May 11, 2000 and the benefit of U.S. provisional application
number 60/203,583, filed May 11, 2000.

IN THE CLAIMS:

Please amend now pending claims 3-5 with the following complete set of claims:

3. (Amended) A system as claimed in claim 1, wherein said prescribed
involvement with said IM server includes:

- A2
canceled
- (i) one client sending a message to another;
 - (ii) one client successfully receiving a message sent from another;
 - (iii) one checking the activity status of another user(s); and
 - (iv) other activities, involving the IM server system, that can be detected by computer and electronic methods.

4. (Amended) A system as claimed in claim 1, wherein said computer network is the internet and/or any direct electronic link.
5. (Amended) A system as claimed in claim 1, wherein said client types connected to the computer network via the GSM network and SMS capability and are initially connected to the computer network via an SMSC server to control and manage said SMS therebetween, said SMSC server and said IM server being directly interconnected via said computer network, and wherein said SMSC server provides an indication to said monitoring means of the activity of targeted recipient GSM clients in response to messages sent to the SMSC server for delivery thereto by said IM server.

REMARKS

The presentation of a clean set of claims is permitted under new rule 37 C.F.R. 1.121 (c)(3), effective November 7, 2000. An amended form of claims 3-5 is attached for the Examiner's convenience pursuant to new rule 37 C.F.R. 1.121 (c)(1)(ii). No new matter has been introduced by these amendments.

The examiner is respectfully requested to consider the above preliminary amendment prior to examination of the application.

If there are any other fees due in connection with the filing of this preliminary amendment, please charge the fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: David W. Hill
David W. Hill
Reg. No. 28,220

Date: May 2, 2001
DWH/FPD/peg

ANNEXES TO THE PRELIMINARY AMENDMENT

Applicants submit the following claims with strikeouts and underlining for the Examiner's convenience as required by new rule 37 C.F.R. 1.121 (c)(1)(ii).
This paper is not intended to be entered.

3. (Amended) A system as claimed in claim 1 ~~or 2~~, wherein said prescribed involvement with said IM server includes:

- (i) one client sending a message to another;
- (ii) one client successfully receiving a message sent from another;
- (iii) one checking the activity status of another user(s); and
- (iv) other activities, involving the IM server system, that can be detected by computer and electronic methods.

4. (Amended) A system as claimed in ~~any one of the preceding claims~~ claim 1, wherein said computer network is the internet and/or any direct electronic link.

5.(Amended) A system as claimed in ~~any one of the preceding claims~~ claim 1, wherein said client types connected to the computer network via the GSM network and SMS capability and are initially connected to the computer network via an SMSC server to control and manage said SMS therebetween, said SMSC server and said IM server being directly interconnected via said computer network, and wherein said SMSC server provides an indication to said monitoring means of the activity of targeted recipient GSM clients in response to messages sent to the SMSC server for delivery thereto by said IM server.